

REMARKS

The present application was originally filed with 18 Claims. In a Restriction Requirement mailed December 8, 2005, the Examiner restricted the Claims into 35 Groups, as indicated below:

- I. Group I contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 7 in the sequence of subtilisin BPN';
- II. Group II contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 23 in the sequence of subtilisin BPN';
- III. Group III contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 26 in the sequence of subtilisin BPN';
- IV. Group IV contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 28 in the sequence of subtilisin BPN';
- V. Group V contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 29 in the sequence of subtilisin BPN';
- VI. Group VI contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 30 in the sequence of subtilisin BPN';
- VII. Group VII contains Claims 1-12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 31 in the sequence of subtilisin BPN';
- VIII. Group VIII contains Claims 1-3, 5-12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 47 in the sequence of subtilisin BPN';
- IX. Group IX contains Claims 1-3, 6, 12-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 61 in the sequence of subtilisin BPN';

- X. Group X contains Claims 1-3, 5, 6, 9, 12-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 66 in the sequence of subtilisin BPN';
- XI. Group XI contains Claims 1-3, 6, 9-12, and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 69 in the sequence of subtilisin BPN';
- XII. Group XII contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 73 in the sequence of subtilisin BPN';
- XIII. Group XIII contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 82 in the sequence of subtilisin BPN';
- XIV. Group XIV contains Claims 1-9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 85 in the sequence of subtilisin BPN';
- XV. Group XV contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 88 in the sequence of subtilisin BPN';
- XVI. Group XVI contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 90 in the sequence of subtilisin BPN';
- XVII. Group XVII contains Claims 1-3, 5-9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 92 in the sequence of subtilisin BPN';
- XVIII. Group XVIII contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 93 in the sequence of subtilisin BPN';
- XIX. Group XIX contains Claims 1-3, 5-9, and 12-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 105 in the sequence of subtilisin BPN';
- XX. Group XX contains Claims 1-3, 5-9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 113 in the sequence of subtilisin BPN';

- XXI. Group XXI contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 139 in the sequence of subtilisin BPN';
- XXII. Group XXII contains Claims 1-12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 148 in the sequence of subtilisin BPN';
- XXIII. Group XXIII contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 149 in the sequence of subtilisin BPN';
- XXIV. Group XXIV contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 150 in the sequence of subtilisin BPN';
- XXV. Group XXV contains Claims 1-3, 5-9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 151 in the sequence of subtilisin BPN';
- XXVI. Group XXVI contains Claims 1-3, 6-9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 174 in the sequence of subtilisin BPN';
- XXVII. Group XXVII contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 178 in the sequence of subtilisin BPN';
- XXVIII. Group XXVIII contains Claims 1-3, 5-9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 200 in the sequence of subtilisin BPN';
- XXIX. Group XXIX contains Claims 1-3, 5-12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 201 in the sequence of subtilisin BPN';
- XXX. Group XXX contains Claims 1-3, 6, and 9-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 203 in the sequence of subtilisin BPN';
- XXXI. Group XXXI contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 231 in the sequence of subtilisin BPN';

XXXII. Group XXXII contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 233 in the sequence of subtilisin BPN';

XXXIII. Group XXXIII contains Claims 1-3, 6, and 9-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 258 in the sequence of subtilisin BPN';

XXXIV. Group XXXIV contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 267 in the sequence of subtilisin BPN'; and

XXXV. Group XXXV contains Claims 1-6, 9, 12 and 15-18, drawn in part to a subtilisin modified by an amino acid substitution at a position corresponding to position 273 in the sequence of subtilisin BPN'.

In a Response filed 23 December 2005, Applicant hereby elected the Claims in Group III (Claims 1-6, 9, 12 and 15-18) without traverse.

The Examiner has objected to the Specification for reciting the allegedly undefined term "carbonyl hydrolases." Applicant must respectfully submit that the sentence on page 1, line 1, simply indicates that serine proteases are a subgroup of the larger group of enzymes designated as "carbonyl hydrolases." The text further describes the structure and function of serine proteases and subtilisins in particular. The Examiner has also objected to the lack of the Provisional application serial number 60/440,792 at line 24 on page 17. Applicant has amended the Specification to recite this serial number. Applicant has also amended the Specification to recite the SEQ ID NOS, as needed. Applicant is also submitting the Sequence Listing and Statement of Sameness herewith. The primer sequences on page 21, as well as the GG36 sequences are disclosed in the application as filed and are included in the Sequence Listing provided herewith.

The Examiner has also objected to Claims 1, 5 and 14. Applicant has amended the Claims to provide the proper format and more clearly recite the claimed subject matter. Applicant appreciates the Examiner's comments and suggestions regarding the allowability of certain Claims, if amended. The Examiner's rejection are addressed below, in the following order:

- 1) Claims 4-8 and 10-14 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly not meeting the written description requirement;

- 2) Claims 4-8 and 10-14 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly not being enabled;
- 3) Claims 1-18 stand rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite;
- 4) Claims 1 and 15-18 stand rejected under 35 U.S.C. §102(b), as allegedly being anticipated by Pantoliano *et al.* (US Pat. No. 4,908,773); and
- 5) Claims 1 and 15-18 stand rejected under 35 U.S.C. §102(e), as allegedly being anticipated by Rubingh *et al.* (US Pat. No. 6,946,128).

1) The Written Description Requirement is Met

The Examiner has rejected Claims 4-8 and 10-14 under 35 U.S.C. §112, first paragraph, as allegedly not meeting the written description requirement. While Applicant must respectfully disagree, in order to further the prosecution of the present application and Applicant's business interests, yet without acquiescing to the Examiner's arguments, Applicant has amended Claims 4, 9, and 10, and cancelled Claims 5-8, and 11-14, without prejudice. Applicant reserves the right to pursue the cancelled and/or additional Claims in one or more subsequently filed applications. Applicant respectfully submits that the pending Claims are fully supported by the Specification and that the written description requirement is met. Applicant respectfully requests that this rejection be withdrawn.

2) The Claims are Enabled

The Examiner has rejected Claims 4-8 and 10-14 under 35 U.S.C. §112, first paragraph, as allegedly not being enabled. As indicated above, while Applicant must respectfully disagree, in order to further the prosecution of the present application and Applicants' business interests, yet without acquiescing to the Examiner's arguments, Applicant has amended Claims 4, 9, and 10, and cancelled Claims 5-8, and 11-14, without prejudice. Applicant reserves the right to pursue the cancelled and/or additional Claims in one or more subsequently filed applications. Applicant respectfully submits that the pending Claims are fully enabled by the Specification and that the enablement requirement is met. Applicant respectfully requests that this rejection be withdrawn.

3) The Claims are Definite

The Examiner has rejected Claims 1-18 under 35 U.S.C. §112, second paragraph as allegedly being indefinite. As indicated above, while Applicant must respectfully disagree, in order

to further the prosecution of the present application and Applicant's business interests, yet without acquiescing to the Examiner's arguments, Applicant has amended Claims 4, 9, and 10, and cancelled Claims 5-8, and 11-14, without prejudice. In addition, Claims 1-3 have also been amended. Applicant reserves the right to pursue the cancelled and/or additional Claims in one or more subsequently filed applications. Applicant respectfully submits that the pending Claims are fully supported by the Specification and that the Claims are definite. Applicant respectfully requests that this rejection be withdrawn.

4-5) The Claims are Novel

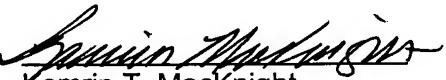
The Examiner has rejected Claims 1 and 15-18 under 35 U.S.C. §102(b), as allegedly being anticipated by Pantoliano *et al.* (US Pat. No. 4,908,773); and Claims 1 and 15-18 stand rejected under 35 U.S.C. §102(e), as allegedly being anticipated by Rubingh *et al.* (US Pat. No. 6,946,128). As indicate above, while Applicant must respectfully disagree, in order to further the prosecution of the present application and Applicant's business interests, yet without acquiescing to the Examiner's arguments, Applicant has amended Claim 1, without prejudice. Applicant reserves the right to pursue the cancelled and/or additional Claims in one or more subsequently filed applications. As Claims 15-18 are dependent upon allowable Claim 1, Applicant respectfully submits that the pending Claims are novel. Applicant respectfully requests that this rejection be withdrawn.

CONCLUSION

As all of the grounds of the Examiner's rejections have been addressed and in view of the above remarks, the Applicant believes the pending Claims are in condition for allowance and issuance of a formal Notice of Allowance at an early date is respectfully requested. The Information Disclosure Statement requested by the Examiner will be filed shortly. If the Examiner has any questions regarding the present application he or she is encouraged to contact the undersigned.

Respectfully submitted,

Dated: September 22, 2006



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